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HEAVENLY VALLEY, LIMITED PARTNERSHIP and
THE VAIL CORPORATION

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

CHRISTOPHER HAMILTON, as an
individual and on behalf of all others
similarly situated,

Plaintiffs,

v.

HEAVENLY VALLEY, LIMITED
PARTNERSHIP; and DOES 1-50,
inclusive,

Defendants.

Case No. **2:21-CV-01608 WBS SCR**

**JOINT STATUS REPORT AND REQUEST TO
CONTINUE STATUS CONFERENCE; ORDER**

Related to: 2:21-cv-00107 WBS DB
2:21-cv-01260 WBS SCR
2:21-cv-02251-WBS-DB

Complaint Filed: September 8, 2021
District Judge: Hon. William B. Shubb
Courtroom 5, Sacramento

Magistrate Judge: Sean C. Riordan
Courtroom 27, Sacramento

TO THE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF RECORD:

1 Plaintiff CHRISTOPHER HAMILTON (“Plaintiff”) and defendant HEAVENLY
2 VALLEY, LIMITED PARTNERSHIP (“Defendant”) (collectively the “Parties”), hereby submit
3 this joint status report regarding the status of the case and settlement approval process in this
4 Action and four other related cases: *Gibson v. The Vail Corporation*, Case No. 2:21-cv-01260-
5 WBS-DB (E.D. Cal.) (“*Gibson*”); *Hamilton v. Heavenly Valley, Limited Partnership*, SC20210148
6 (El Dorado County Superior Court) (“*Hamilton II*”); *Roberds v. The Vail Corporation et al*, Case
7 No. 2:21-cv-02251-WBS-DB (E.D. Cal.) (“*Roberds*”); and *Heggen v. Heavenly Valley Limited*
8 *Partnership*, 2:21-cv-00107-WBS-DB (“*Heggen*”).

9 WHEREAS, on November 19, 2021, Randy Dean Quint, John Linn, and Mark Molina
10 (collectively “Colorado Plaintiffs”), plaintiffs in another class and collective action against
11 Defendant venued in Colorado captioned *Quint v. Vail Resorts, Inc.*, No. 1:20-cv-03569-DDD-
12 GPG filed a motion to intervene in *Hamilton II* for the purpose of filing a motion to dismiss the
13 action, which the court denied;

14 WHEREAS, on December 28, 2021, the Parties executed a formal, long-form Settlement
15 Agreement that fully and finally resolves all claims in the Action, pending court approval, as well
16 as claims pled in related cases *Hamilton I*, *Gibson*, *Hamilton II*, and *Roberds* (“the Settlement”);

17 WHEREAS, on February 1, 2022, the El Dorado County Superior Court entered an Order
18 in the *Hamilton II* action granting Plaintiffs’ Motion for Preliminary Approval of the Settlement;

19 WHEREAS, Colorado Plaintiffs filed an objection to the Settlement;

20 WHEREAS, after considering all final approval papers, all objections to the Settlement,
21 oral argument from objectors at a hearing on June 17, 2022, and the arguments of counsel and
22 other individuals at a final approval hearing on August 19, 2022, the El Dorado County Superior
23 Court entered an Order in the *Hamilton II* action on August 19, 2022 granting Plaintiffs’ Motion
24 for Final Approval of the Settlement (“Final Approval Order”) and entered judgment;

25 WHEREAS, Colorado Plaintiffs moved to vacate the *Hamilton II* judgment, which the
26 Court denied;

27 WHEREAS, Colorado Plaintiffs appealed both the order denying their motion to intervene
28 and the order denying their motion to set aside and vacate judgment;

1 WHEREAS, on October 10, 2024, the Court of Appeal issued an unpublished opinion that
2 reversed the trial court's orders in on non-parties' motions to: (a) intervene; and (b) to set aside and
3 vacate the judgment in *Hamilton II*;

4 WHEREAS, Defendant's petition for review filed with the California Supreme Court which
5 was not granted;

6 WHEREAS, remittitur issued on January 29, 2025;

7 WHEREAS, following a case management conference in *Hamilton II* on March 14, 2025,
8 the trial court entered an order adopting the parties' stipulated briefing schedule for Colorado
9 Plaintiffs' (now Intervenors') motion to dismiss, and set a hearing for June 6, 2025;

10 WHEREAS, due to a series of scheduling conflicts, the hearing on the Colorado Plaintiffs'
11 Motion to Dismiss was continued to September 12, 2025;

12 WHEREAS, on September 12, 2025, the Superior Court denied the Colorado Plaintiffs'
13 Motion to Dismiss;

14 WHEREAS, on November 18, 2025, the Colorado Plaintiffs moved to stay or dismiss
15 *Hamilton II*, which is set to be heard by the Superior Court on January 30, 2026;

16 WHEREAS the Settlement provides that Plaintiffs will dismiss this action with prejudice
17 within 28 days after the Final Approval Order becomes a final, non-appealable order;

18 NOW THEREFORE, the Parties hereby jointly request that this Court continue the January
19 12, 2026 Status Conference to Monday, April 27, 2026, at 1:30 pm, or as soon thereafter as the
20 Court's calendar permits to assess the impact of the pending motion.

1 DATED: October 6, 2025

DIVERSITY LAW GROUP, P.C.

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4 By: /s/ Max W. Gavron (signature authorized on 10/6/25)
5 Larry W. Lee
6 Max W. Gavron

7 Attorneys for Plaintiff
8 CHRISTOPHER HAMILTON, AS AN
9 INDIVIDUAL AND on behalf of all others
10 similarly situated

11 DATED: October 6, 2025

OGLETREE, DEAKINS, NASH, SMOAK &
STEWART, P.C.

12
13
14 By: /s/ Evan R. Moses (signature authorized on 10/6/25)
15 Evan R. Moses
16 Melis Atalay

17 Attorneys for Defendant
18 HEAVENLY VALLEY, LIMITED
19 PARTNERSHIP and THE VAIL
20 CORPORATION
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ORDER


The Court having reviewed the foregoing stipulation, and GOOD CAUSE APPEARING
THEREFORE, the Court orders as follows:

(1) The Parties shall file a Joint Status Report addressing the status of the Settlement
and any additional information that the Court requires, by April 20, 2026.

(3) A Status Conference is set for **May 4, 2026 at 1: 30 p.m.**

IT IS SO ORDERED.

Dated: December 30, 2025


WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE